

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Appln. No. 10/706,486

Reissue of U.S. Patent No. 6,366,266

For: METHOD AND APPARATUS FOR  
PROGRAMMABLE FIELD  
EMISSION DISPLAY

Inventors: Tianhong Zhang,  
Zhonghi Xia; John Lee,  
And Benham Moradi

Atty Dkt: Micron-P042RE

§ Issued from Appln. Serial No:  
§ 09/388,671

§ Reissue Application Filed:  
§ November 12, 2003

§ Original Patent Issued: April 2, 2002

§ Group Art Unit: 2674

§ Prior Examiner: Duc Q. Dinh

§ 703.306.5412

Mail Stop Reissue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

"EXPRESS MAIL" MAILING LABEL

EXPRESS MAIL NO.: EV 318664026 US

Pursuant to 37 C.F.R. § 1.10, I hereby certify that I am personally depositing this paper or fee with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above in a sealed envelope (a) having the above-numbered Express Mail label and sufficient postage affixed, and (b) addressed to Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 16-FEB-04 Signature: Hugh R. Kress

Printed Name: Hugh R. Kress

RESPONSE TO NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Sir:

This paper is filed in response to a Notice to File Missing Parts of Reissue Application dated January 7, 2004 ("the Notice") in connection with the above-referenced reissue application, and is accompanied by, *inter alia* (see below), the payment of the requisite fee under 37 C.F.R. § 1.16(e). If the fee payment is missing or incorrect in amount, or if any other fees are determined to be due in connection with these submissions, the Commissioner, Assistant Commissioner, and/or the Director of the U.S. Patent & Trademark Office is/are authorized to charge Browning Bushman Deposit Account No. 02-4345, referencing matter Micron-P042RE.

RESPONSE TO NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

RESPONSE

The Notice indicates that an oath or declaration in compliance with 37 C.F.R. § 1.63 is required. In response, Assignee attaches hereto a Form PTO/SB/51 Reissue Application by the Inventor duly executed by each named inventor in the subject application.

Further, accompanying this Response are:

(1) PTO Form PTO/SB/53 Reissue Application: Consent of Assignee; Statement of Non-Assignment;

(2) PTO Form PTO/SB/96 Statement Under 37 C.F.R. § 3.73(b); and

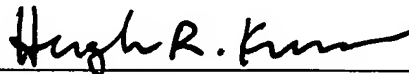
(3) PTO Form PTO/SB/08a&b (Information Disclosure Statement).

CONCLUSION

It is believed that each of the claims 1-55 and 56-63 pending in this Reissue Application is allowable, and that the application as a whole is in proper form and condition for reissuance of the '266 patent. Examination and allowance is therefore respectfully requested, such that the application may advance to issuance at the earliest possible date. If the Examiner believes that the application can be placed in even better condition for allowance, s/he is invited to contact the undersigned at the telephone number listed below.

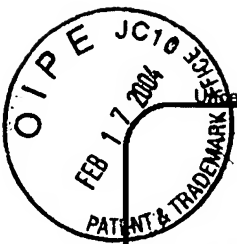
Respectfully submitted,

Date: 16-FEB-2004



Hugh R. Kress  
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ATTORNEY FOR ASSIGNEE

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/706,486
Filing Date	November 12, 2003
First Named Inventor	Tianhong Zhang
Art Unit	2674
Examiner Name	unassigned
Attorney Docket Number	Micron-P042RE

Total Number of Pages in This Submission

**ENCLOSURES** (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See "Remarks" below for itemization of included papers.
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Included papers: Response to Notice to File Missing Parts; Form PTO/SB/51 Reissue Application Declaration by the Inventors; Form PTO/SB/53 Reissue Application: Consent of Assignee; Statement of Non-Assignment; Fee Transmittal; Return Receipt Postcard	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Hugh R. Kress; Browning Bushman P.C., 5718 Westheimer, Suite 1800, Houston, Texas 77057		
Signature			
Date	16-FEB-2004		

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Hugh R. Kress		
Signature		Date	16-FEB-2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$170.00)**Complete if Known**

Application Number	10/706,486
Filing Date	November 12, 2003
First Named Inventor	Tianhong Zhang
Examiner Name	unassigned
Art Unit	2674
Attorney Docket No.	Micron-P042RE

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

02-4345

Browning Bushman P.C.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

**SUBTOTAL (1)** (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** (\$)

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES****Large Entity - Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	40.00
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$170.00)**SUBMITTED BY**

Name (Print/Type)

Hugh R. Kress

Registration No.

36,574

(Complete if applicable)

Telephone

713.266.5593

Signature

Hugh R. Kress

Date

February 16, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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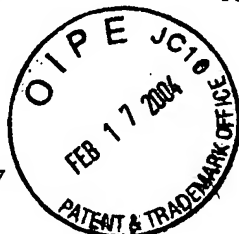


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 United States Patent and Trademark Office  
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 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/706,486	11/12/2003	Tianhong Zhang	Micron-P042RE

Hugh R Kress  
 5718 Westheimer  
 Suite 1800  
 Houston, TX 77057



CONFIRMATION NO. 7589

## FORMALITIES LETTER



\*OC000000011632988\*

Date Mailed: 01/07/2004

## NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

*Filing Date Granted*

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Consent of assignee is missing. 37 CFR 1.172 requires that a reissue oath/declaration be accompanied by the written consent of all assignees.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

02/24/2004 #05FAW1 00000125 10706486 130.00 DP 01 FC:1051

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE